UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,443	10/12/2001	Ronald E. Sloan	60021.376002	2727

29838   7590   04/28/2003

OPPENHEIMER WOLFF & DONNELLY, LLP (ACCENTURE)
1400 PAGE MILL ROAD
PALO ALTO, CA   94304

EXAMINER
PWU, JEFFREY C

ART UNIT	PAPER NUMBER
3628	

DATE MAILED: 04/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No.	**Applicant(s)**
Office Action Summary	09/976,443	SLOAN ET AL.
	Examiner	**Art Unit**
	Jeffrey Pwu	3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Peri d for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 October 2001* .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

   If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____ .

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

   a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>9</u> .   6) ☐ Other: .

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DETAILED ACTION

1.   This action is responsive to the application, filed 2001-10-12.

2.   The disposition of claims is: claims 1-24 are pending as filed. Claims 1, 9, and 17 are
independent.

3.   The group art unit of the Examiner handling your case has changed. The new art unit is
3628. Please use current art unit on all correspondence to help us route your case in a
timely fashion.

Title

4.   The title of the invention is not descriptive. A new title is required that is clearly
indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the
basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (e) the invention was described in-
> (1) an application for patent, published under section 122(b), by another filed in the United States before
> the invention by the applicant for patent, except that an international application filed under the treaty
> defined in section 351(a) shall have the effect under this subsection of a national application published
> under section 122(b) only if the international application designating the United States was published under
> Article 21(2)(a) of such treaty in the English language; or
> (2) a patent granted on an application for patent by another filed in the United States before the invention by
> the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes
> of this subsection based on the filing of an international application filed under the treaty defined in section
> 351(a).

6.   Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by *Jones* et al. (US 6,021,397).

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Jones et al. teach:

➡️A method for providing automatic coaching for a financial modeling and counseling system over the Internet, comprising:

input personal financial data from a user over a network including the Internet (user; 105, 110, 117; col.7, lines 50-60);

input external financial market data over the network including the Internet (100, 115, 125; col.7, lines 50-60);

process said personal financial data and said external financial market data (202; flow chart, method steps of fig.3);

output at least one of coaching advice, product configuration, and assessment of an effect on a personal financial plan over the network including the Internet (col.4, line 63-col.8, line 50).

➡️ wherein a part of said personal financial plan is user's investment portfolio (340);

➡️ wherein said personal financial data includes at least one of data from a user's aggregated cash flow model, user's investment target value, and a user's target date for achieving his/her financial goals (col.7, line 63-col.8, line 50; 340; col.12, line 55-col.13, line 8; step 610 of fig.6);

➡️wherein said external financial market data includes value of various market benchmark indices, performance history of various securities, and price of various securities col.7, line 63-col.12, lin 55-col.13; figs. 6-8)

➡️providing the users with automated coaching for a computer generated portfolio based on a preferred user financial asset mix (col.17, lines 15-col.18, line 49);

➡️a database for receiving personal user financial data connected to a network including the Internet ;(user; 105, 110, 117; col.7, lines 50-60);

➡️ a database for receiving external financial data connected to the network including the Internet (117);

➡️ a processing unit for processing said personal financial data and said external financial market data connected to the network including the Internet (202; flow chart, method steps of fig.3);and

➡️a user interface connected to the network including the Internet for outputting at least one of coaching advice, product configuration, and assessment of an effect on a personal financial plan (col.4, line 63-col.8, line 50).

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∞ Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Jeffrey Pwu whose telephone number is (703)   308-7835

Jeffrey Pwu

21 April 2003

JEFFREY PWU
PRIMARY EXAMINER